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NOTICE OF ALLOWANCE AND FEE(S) DUE

78037 7590 12/02/2009

KALEIDESCAPE, INC.
440 POTRERO AVE.
SUNNYVALE, CA 94085-4117

EXAMINER

REZA, MOHAMMAD W

ART UNIT

PAPER NUMBER

2436

DATE MAILED: 12/02/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/616,899

07/09/2003

Michael A. Malcolm

217.1008.01

1664

TITLE OF INVENTION: SECURE PRESENTATION OF MEDIA STREAMS IN RESPONSE TO ENCRYPTED DIGITAL CONTENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/02/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

78037 7590 12/02/2009

**KALEIDESCAPE, INC.
440 POTRERO AVE.
SUNNYVALE, CA 94085-4117**

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/616,899 07/09/2003 Michael A. Malcolm 217.1008.01 1664

TITLE OF INVENTION: SECURE PRESENTATION OF MEDIA STREAMS IN RESPONSE TO ENCRYPTED DIGITAL CONTENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1510 \$300 \$0 \$1810 03/02/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
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REZA, MOHAMMAD W 2436 380-212000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,899	07/09/2003	Michael A. Malcolm	217.1008.01	1664
78037	7590	12/02/2009	EXAMINER	
KALEIDESCAPE, INC. 440 POTRERO AVE. SUNNYVALE, CA 94085-4117			REZA, MOHAMMAD W	
			ART UNIT	PAPER NUMBER
			2436	
DATE MAILED: 12/02/2009				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 641 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 641 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	10/616,899	MALCOLM ET AL.	
	Examiner	Art Unit	
	MOHAMMAD W. REZA	2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/28/2009.
2. ☒ The allowed claim(s) is/are 1-2, 6-15, 26-30, 33-40, and 42-50; renumbered as 1-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Mohammad W Reza/
Examiner, Art Unit 2436

DETAILED ACTION

1. This office correspondence is response to the applicant's after response filed on 08/29/2009.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Applicant's representative, Kevin A Brown (Reg. No. 56,303), and examiner arranged a telephone interview on October 22, 2009 and the interview agenda was to reach an agreement of allowance of claims with examiner amendment would make to these claims as follows:

In the claims:

Claims have been rewritten as follows:

1. (Currently Amended) A method, comprising: ~~including steps of~~

~~importing, by a processor, a media stream having an encrypted portion, having a portion encoded in accordance with a first digital content format, wherein at least a subset of said portion is encrypted;~~

~~decrypting said encrypted subset of said portion;~~

~~encoding said media stream into digital content, in accordance with a second digital content format, wherein said encoding comprises:~~

encrypting a portion of that digital content, less than the entire digital content, the portion of the digital content that is encrypted being required for presentation of the media stream, said encrypting comprising: [[;]]

encrypting at least some audio or video data using a block-substitution cipher;

not encrypting at least some audio or video data using that block-substitution cipher;

identifying a first set of data and a second set of data in the digital content;
and

encrypting the first set of data and the second set of data, such that the first set of data can be made available to a first set of users and the second set of data can be made available to a second set of users, the first set of users being distinguishable from the second set of users; and

not encrypting a portion of that digital content, less than the entire digital content, the portion of the digital content that is not encrypted being necessary ~~sufficient~~ for conducting navigation operations on, without decrypting, the media stream represented by the digital content.

2. (Original) A method as in claim 1, wherein

said steps of encoding provide an MPEG encoding of at least some video data.

3. (Cancelled)

4. (Cancelled)

5. (Cancelled)

6. (Currently Amended) A method as in claim 1, wherein said ~~steps of~~ encrypting said portion
further comprises:

refraining from encrypting formatting information.

7. (Currently Amended) A method as in claim 1, wherein said ~~second~~ digital content ~~format~~
includes at least some audio or video data and at least some formatting information.

8. (Previously Presented) A method as in claim 1, wherein

the digital content includes a set of layers, each relatively higher-level layer representing
an abstraction for which each relatively lower-level layer represents an implementation thereof;

a first set of relatively higher-level layers represent audio or video information for the
media stream, while a second set of relatively lower-level layers represent techniques by which
that information is formatted or supplemented; and

the step of encrypting is applied only to that portion of the digital content representing
audio and video information.

9. (Previously Presented) A method as in claim 1, wherein

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the digital content includes a set of layers, each relatively higher-level layer representing an abstraction for which each relatively lower-level layer represents an implementation thereof;

a first set of relatively higher-level layers represent audio or video information for the media stream, while a second set of relatively lower-level layers represent techniques by which that information is broken into packets, indexed, multiplexed, or supplemented with metadata; and

the step of encrypting is applied only to that portion of the digital content representing audio and video information.

10. (Previously Presented) A method as in claim 1, wherein

the digital content includes a set of layers, each relatively higher-level layer representing an abstraction for which each relatively lower-level layer represents an implementation thereof;

a first set of relatively higher-level layers represent audio and video information for the media stream, while a second set of relatively lower-level layers represent techniques by which that information is broken into packets, indexed, multiplexed, or supplemented with metadata; and

the step of encrypting is not applied to that portion of the digital content representing other than audio and video information.

11. (Previously Presented) A method as in claim 1, wherein the media stream includes at least one of: still media, an illustration.

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12. (Previously Presented) A method as in claim 1, including steps of selecting that portion of the digital content for encryption so there is no substantial change in distribution of that digital content.

13. (Original) A method as in claim 12, wherein said steps of selecting include ensuring there is no substantial change in packetization of a set of digital data in that digital content.

14. (Original) A method as in claim 12, wherein said steps of selecting include ensuring there is no substantial change in synchronization of audio with video portions of the media stream.

15. (Original) A method as in claim 12, wherein said steps of selecting include ensuring there is no substantial change in length of at least some identifiable audio or video data in that digital content.

16. (Cancelled)

17. (Cancelled)

18. (Cancelled)

19. (Cancelled)

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20. (Cancelled)

21. (Cancelled)

22. (Cancelled)

23. (Cancelled)

24. (Cancelled)

25. (Cancelled)

26. (Currently Amended) A method, comprising: ~~including steps of~~
importing, by a processor, a media stream having an encrypted portion;
decrypting said encrypted portion;
encoding said media stream into [[a]] digital content ~~format~~, that digital content ~~format~~
having a set of information nodes, those information nodes being disposed in at least a partial
ordering, said encoding comprising:

encrypting a portion of that digital content, ~~the portion being encrypted~~ less than
the entire digital content ~~format representing that media stream~~, the portion of the digital
content that is encrypted being required for presentation of the media stream, said
encrypting comprising: [[;]]

encrypting at least some audio or video data using a block-substitution cipher;

not encrypting at least some audio or video data using that block-substitution cipher;

identifying a first set of data and a second set of data in the digital content;
and

encrypting the first set of data and the second set of data, such that the first set of data can be made available to a first set of users and the second set of data can be made available to a second set of users, the first set of users being distinguishable from the second set of users; and

wherein an [[the]] unencrypted portion of that digital content is substantially closed in a direction under that partial ordering, whereby it is possible to navigate the encrypted portion of that digital content without having to decrypt it.

27. (Previously Presented) A method as in claim 1, wherein those navigation operations include at least one of: a rewind operation, a fast forward operation, a movement operation to a selected location within the digital content, a pause operation, a halt operation.

28. (Previously Presented) A method as in claim 1, wherein the encrypted version of that digital content is substantially unchanged in formatting parameters from an unencrypted version of that digital content.

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29. (Currently Amended) A method as in claim 1, further comprising: including steps of
encrypting substantially all of that digital content using an encryption approach ~~second~~
~~steps of encryption, those second steps of encryption being~~ relatively less secure than said those
~~steps of encrypting said [[a]]~~ portion of that digital content.

30. (Currently Amended) A method as in claim 1, wherein said those steps of encrypting said
~~only a portion further comprises: include steps of~~
encrypting only packet payloads when said ~~second~~ digital content ~~format~~ is one of the
group: an MPEG encoding, a variant of an MPEG encoding.

31. (Cancelled)

32. (Cancelled)

33. (Currently Amended) A method as in claim 1 ~~[[32]]~~, wherein said those steps of decrypting
comprises only a portion of that digital content ~~include steps of~~ decrypting only formatting
information within that digital content.

34. (Currently Amended) A method as in claim 1 ~~[[32]]~~, wherein said those steps of not
decrypting comprises a portion of that digital content ~~include steps of~~ not decrypting metadata.

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35. (Currently Amended) A method as in claim 1 ~~[[32]]~~, wherein said ~~those steps of not~~ decrypting comprises ~~a portion of that digital content include steps of~~ not decrypting data necessary ~~and sufficient~~ for browsing or searching within a library of files.

36. (Currently Amended) A method as in claim 26, further comprising: ~~including steps of~~ encrypting substantially all of that digital content using an encryption approach ~~second steps of encryption, those second steps of encryption being~~ relatively less secure than said ~~those steps of encrypting~~ said ~~[[a]]~~ portion of that digital content.

37. (Previously Presented) A method as in claim 26, wherein the encrypted version of that digital content is substantially unchanged in formatting parameters from an unencrypted version of that digital content.

38. (Previously Presented) A method as in claim 26, wherein those navigation operations include at least one of: a rewind operation, a fast forward operation, a movement operation to a selected location within the digital content, a pause operation, a halt operation.

39. (Currently Amended) A method as in claim 26, wherein said ~~those steps of~~ encrypting said ~~[[a]]~~ portion further comprises: ~~include steps of~~

encrypting only packet payloads when the digital content ~~format~~ is one of the group: an MPEG encoding, a variant of an MPEG encoding.

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40. (Currently Amended) A computer-readable storage medium having computer-executable instructions for performing steps comprising:

importing, by a processor, a media stream having an encrypted portion;

decrypting said encrypted portion;

encoding said media stream into a digital content format representing that media stream, said encoding comprising:

encrypting a portion of that digital content, less than the entire digital content ~~format representing that media stream~~, the portion of the digital content that is encrypted being required for presentation of the media stream, said encrypting comprising:[::]

encrypting at least some audio or video data using a block-substitution cipher;

not encrypting at least some audio or video data using that block-substitution cipher;

identifying a first set of data and a second set of data in the digital content;
and

encrypting the first set of data and the second set of data, such that the first set of data can be made available to a first set of users and the second set of data can be made available to a second set of users, the first set of users being distinguishable from the second set of users; and

wherein a portion of that digital content, less than the entire digital content ~~format representing that media stream~~, is not encrypted, the portion of the digital content that is not encrypted being

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necessary ~~sufficient~~ for conducting navigation operations on, without decrypting, the media stream represented by the digital content.

41. (Cancelled)

42. (Previously Presented) A computer-readable storage medium as in claim 40, wherein said encrypting comprises refraining from encrypting formatting information.

43. (Previously Presented) A computer-readable storage medium as in claim 40, wherein the media stream includes at least one of: still media, an illustration.

44. (Previously Presented) A computer-readable storage medium as in claim 40, further comprising:

selecting that portion of the digital content for encryption so there is no substantial change in distribution of that digital content.

45. (Previously Presented) A computer-readable storage medium as in claim 44, further comprising:

ensuring there is no substantial change in packetization of a set of digital data in that digital content.

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46. (Previously Presented) A computer-readable storage medium as in claim 44, further comprising:

ensuring there is no substantial change in synchronization of audio with video portions of the media stream.

47. (Previously Presented) A computer-readable storage medium as in claim 44, further comprising:

ensuring there is no substantial change in length of at least some identifiable audio or video data in that digital content.

48. (Currently Amended) A computer-readable storage medium having computer-executable instructions for performing steps comprising:

importing, by a processor, a media stream having an encrypted portion;

decrypting said encrypted portion;

encoding said media stream into ~~[[a]]~~ digital content ~~format representing that media stream~~, that digital content ~~format~~ having a set of information nodes, those information nodes being disposed in at least a partial ordering;

encrypting a portion of that digital content, the portion being encrypted less than the entire digital content format representing that media stream, the portion of the digital content that is encrypted being required for presentation of the media stream, said encrypting comprising:[::]

encrypting at least some audio or video data using a block-substitution cipher;

not encrypting at least some audio or video data using that block-substitution cipher;
identifying a first set of data and a second set of data in the digital content; and
encrypting the first set of data and the second set of data, such that the first set of data can be made available to a first set of users and the second set of data can be made available to a second set of users, the first set of users being distinguishable from the second set of users; and

wherein an [[the]] unencrypted portion of that digital content is substantially closed in a direction under that partial ordering, whereby it is possible to navigate the encrypted portion of that digital content without having to decrypt it.

49. (Currently Amended) A computer-readable storage medium as in claim 48, further comprising:

encrypting substantially all of that digital content using an encryption approach ~~a second set of instructions to encrypt, those second set of instructions to encrypt being~~ relatively less secure than said encrypting said ~~those instructions to encrypt~~ a portion of that digital content.

50. (Currently Amended) A computer-readable storage medium as in claim 48, further comprising:

encrypting only packet payloads when the digital content ~~format~~ is one of the group: an MPEG encoding, a variant of an MPEG encoding.

Allowable Subject Matter

2. Claims 1-2, 6-15, 26-30, 33-40, and 42-50 are allowed. The following is an examiner's statement of reasons for allowance: In interpreting the claims, in light of the Examiner and the applicant's amendments, the Examiner finds the claimed invention to be patentably distinct from the prior art of record.

3. Johnson et al (European patent app. EP 0792041 A2) is concerned encrypting a portion of that digital content, less than the entire digital content, the portion of the digital content that is encrypted being required for presentation of the media stream.

4. Alve et al (US patent 6959090) is concerned disclosing that not encrypting a portion of that digital content, less than the entire digital content, the portion of the digital content that is not encrypted being necessary for conducting navigation operations on.

5. However the totality of each element and/or step in claims 1-2, 6-15, 26-30, 33-40, and 42-50 are not alluded to in the combined art of Johnson and Alve. Their teachings either individually or in combination failed to teach or suggest the method recited in claim 1. More specifically, the combination of Johnson and Alve does not teach or suggest "generating encrypting at least some audio or video data using a block-substitution cipher; not encrypting at least some audio or video data using that block-substitution cipher" as recited in claim 1. Similarly, the combination of Johnson and Alve does not teach or suggest "identifying a first set of data and a second set of data in the digital content; and encrypting the first set of data and the second set of

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data, such that the first set of data can be made available to a first set of users and the second set of data can be made available to a second set of users, the first set of users being distinguishable from the second set of users" as recited in claim 1. Accordingly, claim 1, is allowable over the combination of Johnson and Alve. So, Claims are allowable by virtue of their dependency upon the independent claims and also due to additional limitations recited in these claims. Therefore, for the foregoing reasons, examiner withdraws of the rejection of claims 1-2, 6-15, 26-30, 33-40, and 42-50 under 35 USC §103(a) as being obvious over Jonnson in view of Alve.

7. However, the prior art of record fails to teach or suggest some of the steps of the present claim invention. Examiner performed an updated search and unable to find any prior art to disclose all the steps mentioned in the independent claims.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. Claims 1-2, 6-15, 26-30, 33-40, and 42-50 are patentable.

10. Claims 3-5, 16-25, 31-32, and 41 are cancelled.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad w. Reza whose telephone number is 571-272-6590. The examiner can normally be reached on M-F (9:00-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MOAZZAMI NASSER G can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Nasser G Moazzami/

Supervisory Patent Examiner, Art Unit 2436

/Mohammad W Reza/

Examiner, Art Unit 2436